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SECOND DIVISION

[A.C. No. 1988-CAR. November 7, 1979]

ALFREDO NALDA, QUIRICO CABRERA and PATROCINIO PALANOG, as counsels for twenty-eight complainants, *complainants*, *vs.* **JUDGE PASTOR P. REYES, Court of Agrarian Relations, Pasig, Metro Manila**, *respondent.*

SYLLABUS

POLITICAL LAW; ADMINISTRATIVE LAW; PUBLIC OFFICERS AND EMPLOYEES; ADMINISTRATIVE CHARGES MAY BE DISMISSED DUE TO WITHDRAWAL OF COMPLAINT.—The Court Administrator, Justice Lorenzo Relova, submitted the following memorandum on this case with a recommendation for its dismissal: "Attorneys Alfredo T. Nalda, Quirico Cabrera and Patrocinio Palanog, for and in behalf of twenty-eight (28) complainants, filed this complaint dated July 31, 1978 against Judge Pastor Reyes for (1) ignorance of the law; (2) abuse of authority/grave abuse of discretion; and (3) violation of P.D. 946, P.D. 815 and R.A. 3844. "In this comment and observation dated September 1, 1978, respondent Judge, among others, claimed that the complaint 'is not only malicious but intended to cow, influence or harass the court in the exercise of its lawful functions.' ... "Further, Atty. Palanog filed a supplemental petition dated October 24, 1979 stating — ... '3. That petitioners Serafin Argana, Simeon de Guzman, Nicolas Geronimo and Pablo Abrenica, whose names are blotted out by me in the original 'Petition' belong to the group headed by Miguel Argana who have earlier settled their case amicably with defendant Ayala Corporation and a 'Compromise Agreement' was duly executed between them and approved by the court in a Partial decision dated October 1, 1979; hence, their complaint has already become moot and academic; '4. That the remaining plaintiffs in CAR Case No. 1293-R entitled '*Gabriel Remorin, et al. versus Susana Realty Corporation, et al.*' and CAR Case No. 1332 entitled '*Demetrio Abrencia, et al. versus Antonio P. Madrigal, et al.*, (except a certain Ambrocio Camigla in the former case) have been finally and completely settled and a 'Compromise

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Agreement' was duly executed between the parties assisted by their counsel of record on October 16, 1979. 'FOR THE FOREGOING, it is most respectfully prayed that this supplemental petition as well as the original 'Petition' be granted and our complaint be DISMISSED.' "In Administrative Case No. 1770, entitled: *Ignacio Reydado vs. Carmencita de Castro* where the respondent was charged with deceit or gross misconduct the case was dismissed when at the hearing on February 28, 1978 complainant Ignacio Reydado filed a verified motion for the withdrawal of his complaint alleging that 'his complaint was an offshoot of a misunderstanding between the parties which had 'already been amicably settled.'" We find the Court Administrator's recommendation to be well-taken.

DECISION

AQUINO, *J.*:

The Court Administrator, Justice Lorenzo Relova, submitted the following memorandum on this case with a recommendation for its dismissal:

"Attorneys Alfredo T. Nalda, Quirico Cabrera and Patrocinio Palanog, for and in behalf of twenty-eight (28) complainants, filed this complaint dated July 31, 1978 against Judge Pastor Reyes for (1) ignorance of the law; (2) abuse of authority/grave abuse of discretion; and (3) violation of P.D. 946, P.D. 815 and R.A. 3844.

"In this comment and observation dated September 1, 1978, respondent Judge, among others, claimed that the complaint 'is not only malicious but intended to cow, influence or harass the court in the exercise of its lawful functions.'

"On October 25, 1979, this Office received a petition dated October 12, 1978 from Atty. Palanog, counsel for the petitioners, praying for the dismissal of the complaint filed against respondent judge based on the following grounds:

'1. That our complaint was based on a misapprehension of facts and/or inaccurate reports in our possession prevailing at the time of the filing of our complaint;

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'2. That as a Judge, he has been honest, upright and impartial in the course of the hearings of our pending cases before him without any misgivings or rancour notwithstanding the filing of our complaint against him before the Supreme Court;

'3. That as a Judge, he is hardworking and highly dedicated to the extent of conducting hearings even on Saturdays just to expedite the early termination of our cases. As a matter of fact, through his untiring efforts and judicial statesmanship, he succeeded in settling CAR Case No. 1293-R entitled '*Gabriel Remorin, et al. vs. Susana Realty Corp., et al.*' and CAR Case No. 1332 entitled '*Demetrio Abrenica, et al. vs. Antonio P. Madrigal, et al.*,' wherein the parties assisted by their counsel have duly executed a compromise agreement, which cases gave rise to our complaint. Hence, our complaint against him has already become moot and academic;

'4. That with his experience and training as a judge in the Court of Agrarian Relations continuously for almost twenty-four (24) years, he has acted and resolved all our pending motions for issuance of preliminary mandatory injunction with promptitude and dispatch;

'5. That in the implementation of the Land Reform Program of the Government and in the interpretation and application of existing tenancy laws, he has always been mindful of the plight of the tenants and upholds the rule of law; and

'6. That we have our full faith, trust and confidence in him thus rendering himself a worthy member of the Bench.'

"Further, Atty. Palanog filed a supplemental petition dated October 24, 1979 stating —

'1. That I am the counsel of all the petitioners in the 'Petition' in Re: Administrative Matter No. 1988-CAR;

'2. That petitioners Felino Velarde, Timoteo Basilan and David Yambao, who have not signed the original 'Petition' cannot be presently located and/or have transferred residence;

'3. That petitioners Serafin Argana, Simeon de Guzman, Nicolas Geronimo and Pablo Abrenica, whose names are blotted out by me in the original 'Petition' belong to the group headed by Miguel Argana who have earlier settled their case amicably with defendant Ayala Corporation and a 'Compromise Agreement' was duly executed between them and approved by the court in a Partial Decision dated October 1, 1979; hence, their complaint has already become moot and academic;

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'4. That the remaining plaintiffs in CAR Case No. 1293-R entitled '*Gabriel Remorin, et al. versus Susana Realty Corporation, et al.*' and CAR Case No. 1332 entitled '*Demetrio Abrencia, et al. versus Antonio P. Madrigal, et al.*,' (except a certain Ambrocio Camigla in the former case) have been finally and completely settled and a 'Compromise Agreement' was duly executed between the parties assisted by their counsel of record on October 16, 1979.

'FOR THE FOREGOING, it is most respectfully prayed that this supplemental petition as well as the original 'Petition' be granted and our complaint be DISMISSED.'

"In Administrative Case No. 1770, entitled: *Ignacio Reydado vs. Carmencita de Castro* where the respondent was charged with deceit or gross misconduct the case was dismissed when at the hearing on February 28, 1978 complainant Ignacio Reydado filed a verified motion for the withdrawal of his complaint alleging that 'his complaint was an offshoot of a misunderstanding between the parties which had 'already been amicably settled.'"

We find the Court Administrator's recommendation to be well-taken.

WHEREFORE, this case is dismissed and considered closed.

SO ORDERED.

Barredo (Chairman), Antonio, Santos, and *Abad Santos, JJ.*, concur.

Concepcion Jr., J., is abroad.